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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,948	12/10/2003	Andreas Schaefer	11884/407001	6307

53000 7590 05/19/2009

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EXAMINER	
DANNEMAN, PAUL	

ART UNIT	PAPER NUMBER
3627	

MAIL DATE	DELIVERY MODE
05/19/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/730,948	SCHAEFER ET AL.
	Examiner	Art Unit
	PAUL DANNEMAN	3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 February 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4 and 6-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4 and 6-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Claims 1, 4 and 6 were amended.

2. Claims 1-4 and 6-20 are pending in this application and have been examined.

Response to Arguments

3. Applicant has properly amended Claims 1, 4 and 6 to correct the 35 U.S.C. § 101 issues, therefore the Examiner respectfully withdraws the § 101 rejections to these claims and their dependent claims.

4. Applicant argues regarding the 35 U.S.C. § 102(b) rejection of Claims 1-4 and 6-20 that ***"Office Action at ¶ 8. Stating further,*** **'the disclosure of RIB (Revenue Increasing Budget) rules clearly allows one of ordinary skill in the art to anticipate any additional rules which would be used to deal with specific revenue changes that result in the increase of a particular revenue or expenditure budget.'** ***First, this statement is wholly conclusory, and relies on the irrelevant HERUG reference, with no prior art to substantiate the claim of obviousness."*** Respectfully the Examiner must disagree as the HERUG reference is not irrelevant regarding its use in the 35 U.S.C. § 102(b). HERUG only allows members to submit development requests. Membership of HERUG is open to all degree-granting Higher Education and Research Institutions who are SAP customers with signed contracts for the productive use of one or more R/2 or R/3 software modules, a requirement that Applicant should be fully aware of. However, since Applicant does not appear to be aware of this requirement, the Examiner respectfully directs Applicant's attention to "Logging Development Requests" available at http://web.mit.edu/her/devreq/devreqinfo.htm.

5. Applicant argues regarding the rejection of Claims 2, 3, 7-13, 15, 16 and 18 as obvious over Prentice, Berka, Kim, and US Patent No. 6,073,108 ("Peterson). ***"Applicants request withdrawal of the outstanding rejections because they are based on a cited reference (Kim) that is not prior art to this application. The present application was filed December 10, 2003. The earliest U.S. filing date***

of the Kim reference is December 20, 2004, over a year after the priority date of the present application." Respectfully the Examiner must disagree as Kim is a continuation-in-part of application number PCT/KR03/01192 filed on June 18, 2003.

6. Applicant argues with respect to the rejection of Claim 1: ***"It is well known in the art that credit/debit accounting methods are not descriptive of RIB rule dynamic budgeting. The two have incompatible differences. First, as is well known and fully described in Berka, credit/debit accounting requires the credit amount to be equal to the debit amount. However, it is well known in the accounting art that a revenue does not necessarily equal a budget increase. For example, a RIB rule may specify that an expenditure budget will increase by some fraction of an incoming revenue. Second, credit/debit accounting methods require one side to decrease equal to another side increasing, whereas claim 1 calls for an equal addition to both budgets. See e.g., Figure 3b. As discussed, credit/debit accounting methods are not descriptive of RIB rules, and thus Berka does not disclose the features of claim 1."*** Respectfully the Examiner must disagree as one of ordinary skill in the accounting arts knows that any revenue recognized by an organization must be balanced in some manner when posted. RIB as defined by the applicant is revenue which results in the increase in the budget of an organization, the amount that a budget is increased may be organization specific; however as with all accounting entries they must be balanced. Applicant's specification in paragraph [3] further discloses **'Revenue budgets typically forecast revenues that the organization expects to earn over a predetermined fiscal period. The process of defining revenue budget values and expenditure budget values is an integrated process. Many organizations, particularly public sector organizations, require that the revenue budget and the expenditure budget remain balanced.'** Therefore, Claim 1 is properly rejected.

7. Applicant argues with respect to the rejection of Claim 4: ***"A revenue budget is not an account, an expense budget is not an account, and a RIB rule does not transfer money between accounts."*** Respectfully the Examiner must disagree. It is clear from Applicant's specification that the invention is about a financial management system for revenues and expenditures which the applicant has disclosed as being stored in **'budget data structures'** as disclosed by paragraph [1] which recites **'EMAs**

are computer systems that help organizations to manage their operations and, among other things, ensure that certain financial goals are met. For example, an organization's employees might be compelled to generate purchase orders or other expenditure documents using the EMA. Before the purchase order could be transmitted to a vendor organization, a financial management component of the EMA may compare the purchase order against expenditure budget values established for the organization. If the purchase order includes an expenditure item that violates one or more budgetary requirements set for the organization, the EMA may prevent the purchase order from being completed. EMAs, therefore maintain data structures that establish expenditure budgets and track aggregate actual posted expenditures during the organization's fiscal operations.' Applicant's specification in paragraph [9] further discloses **'According to the embodiment, RIB increases to an expenditure budget are recorded in parallel to a revenue budget. During auditing operation or other control checks that examine the budget data structures for balance, RIB increases to the expenditure budget are counter-balanced by corresponding increases to the revenue budget.'** Applicant's specification in paragraph [3] further discloses **'Revenue budgets typically forecast revenues that the organization expects to earn over a predetermined fiscal period. The process of defining revenue budget values and expenditure budget values is an integrated process. Many organizations, particularly public sector organizations, require that the revenue budget and the expenditure budget remain balanced.'** Respectfully the Examiner must disagree as one of ordinary skill in the accounting arts knows that in any accounting system, money is not necessarily transferred between accounts during the debit/credit process; it is a financial recording of a transaction or transactions of an organization. Therefore Claim 4 is properly rejected.

8. Applicant argues with respect to the rejection of Claim 6 and 14 the same arguments as presented for Claim 4 above. The Examiner's response is the same as shown above in response to the arguments with respect to the rejection of Claim 4.

9. Applicant argues with respect to the rejection of Claim 17 ***"Berka, and known credit/debit accounting, are inapplicable to the feature of 'storing revenue budget items in a database, each item including a marker to indicate whether the revenue budget item was generated according to a***

RIB rule; [and] storing expenditure budget items in a database, so that the revenue budget items balance with the expenditure budget items.'" Respectfully the Examiner must disagree for the following: Berka in at least Column 2, lines 4-46 discloses a transcription program which automatically creates a database or journal file that stores the directional posting records pertaining to a given time period. For proper traceability of the posting records any deletions, additions and other changes in the database file are first executed in the book of original entry from which the transcription program gathers the data, creates the proper account (named and numbered). The descriptive directional code is in the form "destination category symbol and account name < source account name and category symbol," A numeric directional code is derived from the descriptive code in the form of destination account number <source account number to indicate the source and destination account categories. The balancing of the revenue and expenditure budget items is fully covered in the rejection of Claim 17 below.

10. Applicant further argues with respect to the rejection of Claim 17 ***"The credit/debit accounting of Berka 'records actual transactions as transfers of money between two' accounts."*** Respectfully the Examiner must disagree as one of ordinary skill in the accounting arts knows that in any accounting system, money is not necessarily transferred between accounts during the debit/credit process; it is a financial recording of a transaction or transactions of an organization. Berka in at least Column 1, lines 20-31 discloses that when posting a financial transaction into known accounting programs debiting an account increases assets or expenses and decreased liabilities, whereas crediting an account decreases assets or expenses and increases liabilities or income.

11. Applicant argues regarding the rejection of Claims 2, 3, 7-13, 15, 16, and 18-20 that ***"Peterson does not cure, nor was it asserted as curing the deficiencies discussed above with respect to Prentice, Berka, and Kim, claims 2, 3, 7 to 13, 15, 16, and 18 to 20 should be allowed for at least the same reasons as discussed above with regard to the respective independent claims."*** Respectfully the Examiner must disagree, the prior art used in not deficient as per Examiner's responses above and in the rejections below.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. **Claims 1-4, 6-20** are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention. Reference the 2000 Development Requests at HERTUG (Higher Education and Research Institutions) held in Toronto and http://web.mit.edu/her/devreq/votedevreq00.htm, item number 7 regarding the SAP FM module and requests from the user community on improving / expanding RIB functionality.

Claim Rejections - 35 USC § 103

14. **Claims 1, 4, 6, 14 and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over PowerPoint slide presentation regarding, Introduction to Management Accounting 12/e, Horngren/Sundem/Stratton, 2002, Prentice Hall Business Publishing here forth known as (Prentice) in view of Berka, US 6,275,813 B1 and further in view of Kim, US 7,131,579 B2.

Claims 1, 6, and 14:

With regard to the limitation of a computer executed budgetary management method:

- ***Receiving a new transaction of a revenue item.***
- ***Executing a RIB rule to determine if the revenue item will increase the expenditure budget,***

- ***Storing the budget increase in the expenditure budget with an indicator that represents an increase in the expenditure budget.***

Prentice in at least Chapter 8, slides 8-1 through 8-9 discloses a Flexible Budget being compared to a Static or Master budget, the comparison commonly referred to, in the Accounting Arts, as Variance Analysis and classifying the variance. Therefore, it would have been obvious, at the time of the invention, to a person of ordinary skill in the art to modify Prentice's budget variance analysis where revenues are favorable with an organizational operating rule allowing certain favorable balances to positively affect expense budgets (Flexible budgets) with the motivation of allowing an organization to alter their static budgets when particular transactions cause an unexpected increase in revenue.

Kim in at least Column 5, lines 56-63 discloses an accounting process (Journalizing) for recording transaction in business activities of an enterprise. Kim in at least Column 6, lines 40-43 further discloses a revenue (income) transaction that results in profit of the enterprise and an expense transaction that accompanies a profit decrease. Kim in at least Column 8, lines 8-20 discloses a process of preparing in the transaction outline DB a <u>transaction classification code</u> for each of the account-matched transaction outlines based on predetermined transaction classification criteria. Kim in at least Fig.9A, Fig.9B, Fig.10, Column 11, lines 33-67 and Column 12, lines 1-28 discloses how the transaction classification code is created, defined and used to enable the journalizing of transaction data. Therefore, it would be obvious, at the time of the invention, to a person of ordinary skill in the art to combine the well known features of Prentice's variance analysis and the classification of those variances in accordance with an organization's Standard Operating Procedure regarding variances, with the well know features of Kim's method for journalizing revenue and expenses with the motivation of being able to track and verify each expense and revenue as it is posted to an account.

- ***Storing the budget increase in a revenue budget such that value in the expenditure budget balance with value in the revenue budget.***

Prentice in at least Slide 8-5 discloses an imbalance between expenses (planned versus actual) which results in a variance. Berka in at least Column 1, lines 12-19 discloses a computerized system of double-entry financial accounting and, in particular, to a method of entering data from financial transactions into a computer program that posts the entered information according to the known accounting theory of debit and credit. Berka further discloses that in accounting the term "posting" means transferring the debits and credits (expenses and revenue) from the journal to the general ledger. Kim in at least Fig.3, Column 3, lines 63-67 and Column 4, lines 1-55 discloses a journalizing method matching accounts of debit and/or credits with each of the plurality of transaction outlines to obtain account-matched transaction outlines having transaction classification codes. Kim in at least Column 5, lines 56-67 further discloses that the double-entry book-keeping principle is based on balancing the debits with the credits and the amounts of each debit and credit.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the journalizing system of Kim with the computerized double entry accounting system as taught by Berka with Prentice's flexible budget variance analysis, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Claims 4 and 17:

With regard to the limitation:

- ***Storing a revenue item in a database each with a marker indicating if it was generated from a RIB rule.***

Prentice is somewhat silent on the use of a database entry with an associated marker. However, Berka in at least Column 1, lines 12-19 discloses a computerized system of double-entry financial accounting and, in particular, to a method of entering data from financial transactions into a

computer program that posts the entered information according to the known accounting theory of debit and credit. Berka further discloses that in accounting the term “posting” means transferring the debits and credits (expenses and revenue) from the journal to the general ledger. Berka in at least Column 1, lines 49-67 further discloses that any financial transaction can be defined by a single posting record that includes, apart from its reference number, date, currency and monetary amount, a categorical code which consists of a destination category and a source category. Berka in at least Column 5, lines 18-30 further discloses the desirability to divide each accounting category into a number of different account classes (according to budget class names, for example).

Kim in at least Fig.3, Column 3, lines 63-67 and Column 4, lines 1-55 discloses a journalizing method matching accounts of debit and/or credits with each of the plurality of transaction outlines to obtain account-matched transaction outlines having transaction classification codes. Kim in at least Column 5, lines 56-67 further discloses that the double-entry book-keeping principle is based on balancing the debits with the credits and the amounts of each debit and credit. Kim in at least Fig.2 and Column 7, lines 63-67 discloses an account list database where information regarding debit and credit accounts and their respective codes are listed. Kim in at least Column 8, lines 1-20 further discloses a transaction outline database where information containing ‘account-matched transaction outlines having classification codes’ obtained through a series of process of preparing and determining a plurality of transaction outlines, matching the accounts of debits/credits stored in the account list information database. Kim in at least Column 8, lines 4-39 further discloses that the journalizing system determines accounts of debits/credits corresponding to the transaction outline selected and stores the annotated (classification code FIG.4) accounting information in the accounting information database.

- ***Storing an expenditure item in a database, so that the revenue budget items balance with the expenditure budget items.***

Prentice is somewhat silent on the use of a database entry for storing expenditure and revenue items in a balanced manner. However, Berka in at least Column 1, lines 12-19 discloses a

computerized system of double-entry financial accounting and, in particular, to a method of entering data from financial transactions into a computer program that posts the entered information according to the known accounting theory of debit and credit. Berka further discloses that in accounting the term “posting” means transferring the debits and credits (expenses and revenue) from the journal to the general ledger. Berka in at least Column 1, lines 20-31 discloses that debiting an account increases assets or expenses, whereas crediting an account decreases assets or expenses and increases liabilities or income.

- ***Retrieving Expenditure and Revenue value from storage.***
- ***Comparing the Expenditure and Revenue values of only those values, which have not been marked in a manner to exclude them from certain calculations,***
- ***A computer generating a report that compares the expenditure budget value and the revenue budget values.***

Prentice is silent on retrieving expenditure and revenue values from storage. However, Prentice in at least Chapter 8, slides 8-12 through 8-22 discloses the performance evaluation and computing the variance of a flexible-budget revenue related activity. Prentice in at least Chapter 8, slides 8-23 through 8-42 further discloses evaluating the expenditure side of the budget using variance analysis and determining the classification of the variance.

Berka in at least Column 1, lines 12-19 discloses a computerized system of double-entry financial accounting and, in particular, to a method of entering data from financial transactions into a computer program that posts the entered information according to the known accounting theory of debit and credit. Berka further discloses that in accounting the term “posting” means transferring the debits and credits (expenses and revenue) from the journal to the general ledger. Berka in at least Column 1, lines 20-31 discloses that debiting an account increases assets or expenses, whereas crediting an account decreases assets or expenses and increases liabilities or income. Kim in at least Column 1 lines 16-33 discloses a journalizing process where accounts of debit and credit sides are determined and then amounts corresponding to each of the accounts are distributed based on balancing the debits and credits. Kim in at least Column 8, lines 4-39 further

discloses that the journalizing system determining accounts of debits/credits corresponding to the transaction outline selected and storing the annotated (classification code FIG.4) accounting information in the accounting information database.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the journalizing system with transaction classification codes of Kim with the computerized double entry accounting system as taught by Berka with Prentice's flexible budget variance analysis, with a computer generated report comparing the Expenditure and Revenue values, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Claims 19 and 20:

Claims 14 and 17 from which **Claims 19 and 20** depend from are rejected under Prentice, Berka and Kim as applied above. With regard to the following limitations:

- ***Comparing the expenditure budget values and the revenue budget values to determine if the values therein are in balance.***

Prentice is somewhat silent on the use of a database entry for storing expenditure and revenue items in a balanced manner. However, Berka in at least Column 1, lines 12-19 discloses a computerized system of double-entry financial accounting and, in particular, to a method of entering data from financial transactions into a computer program that posts the entered information according to the known accounting theory of debit and credit. Berka further discloses that in accounting the term "posting" means transferring the debits and credits (expenses and revenue) from the journal to the general ledger. Berka in at least Column 1, lines 20-31 discloses that debiting an account increases assets or expenses, whereas crediting an account decreases assets or expenses and increases liabilities or income.

- ***Comparing the expenditure budget data with the revenue budget data to determine if values are in balance.***

Prentice in at least Chapter 8, slides 8-12 through 8-22 discloses the performance evaluation and computing the variance of a flexible-budget revenue related activity. Prentice in at least Chapter 8, slides 8-23 through 8-42 further discloses evaluating the expenditure side of the budget using variance analysis and determining the classification of the variance (favorable or unfavorable).

15. **Claims 2-3, 7-13, 15-16, and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Prentice, Berka and Kim as applied to **claims 1, 4, 6, 14 and 17** above, and further in view of Peterson, US 6,073,108.

Claims 2, 3, 7, 8, 9, 15, 16, and 18:

Prentice discloses the limitations as shown in the rejections above. Prentice does not disclose the following limitations:

- ***Properly storing and marking revenue budget increases per accounting rules.***
- ***Properly storing and marking expenditure budget increases per accounting rules.***

Peterson in at least Column 2, lines 20-34 discloses a task-based classification and analysis system and analysis software with a user interface for analyzing revenues and expenditures based on predetermined relationships and a plurality of hierarchical task lists. Peterson in at least Fig.1 and Column 3, lines 21-34 further discloses the analysis system and software maintaining relationships between a plurality of databases. It would have obvious, at the time of the invention, to a person of ordinary skill in the art to modify Peterson with the flexible budget and variance analysis of Prentice to provide a budgetary software analysis system for analyzing business budgets.

Claims 10-13:

Prentice discloses the limitations as shown in the rejections above. Prentice does not disclose the following limitations:

- ***Report generator for particular revenue budget items.***

Peterson in at least Column 2, lines 35-44 discloses an analysis software module for building task-based budgets and coordinating relationships between a plurality of task lists and further discloses in at least Column 4, lines 62-64 the system collecting and utilizing historical data from another software module for generating related reports. It would have obvious, at the time of the invention, to a person of ordinary skill in the art to modify Peterson with the flexible budget and variance analysis of Prentice to provide a budgetary software analysis system for analyzing business budgets and producing the interrelated budgetary analysis reports.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL DANNEMAN whose telephone number is (571)270-1863. The examiner can normally be reached on Mon.-Thurs. 6AM-5PM Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul Danneman/

Examiner, Art Unit 3627

15 May 2009

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627